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Attorneys for Defendant
AMERICAN SECURITY INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STANLEY D. CANNON, PATRICIA R.
CANNON, and CHERYL BULLOCK,
individually and for other persons similarly
situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.; WELLS
FARGO INSURANCE, INC.; and
AMERICAN SECURITY INSURANCE
COMPANY,

Defendants.

Case No. 3:12-cv-01376-EMC

**STIPULATION AND PROPOSED ORDER
ESTABLISHING BRIEFING SCHEDULE
ON DEFENDANTS' MOTION TO STAY;
DECLARATION OF PETER S. HECKER
IN SUPPORT OF SAME**

STIPULATION TO MODIFY BRIEFING SCHEDULE

Pursuant to Civil L.R. 7-12, 6-1(b) and 6-2, it is hereby stipulated by and between the parties, through their respective attorneys, that:

WHEREAS, defendants on February 7, 2014 filed a motion to stay these proceedings, along with a motion to shorten time on the motion to stay;

WHEREAS, the Court indicated it plans to consider the motion to stay on an expedited basis;

WHEREAS, the parties have agreed that, subject to the Court's approval, the briefing shall proceed on an expedited basis;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT, subject to the Court's approval:

- Plaintiffs shall file and serve their response to defendants' stay motion on or before February 11, 2014;
- Defendants shall file and serve their reply papers on or before February 14, 2014;
- The motion shall be considered at the earliest convenient date by the Court.

Filer's Attestation: Pursuant to L.R. 5-1(i)(3), Peter S. Hecker hereby attests that concurrence by all signatories in the filing of this document has been obtained.

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1 Dated: February 11, 2014

/s/ Peter S. Hecker

Peter S. Hecker
SHEPPARD MULLIN RICHTER & HAMPTON LLP
Attorneys for Assurant Inc. and American Security
Insurance Co.

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4 Dated: February 11, 2014

/s/ Barry Himmelstein

Barry Himmelstein
HIMMELSTEIN LAW NETWORK
Attorneys for Plaintiffs Stanley D. Cannon, Patricia R.
Cannon and Cheryl Bullock

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7 Dated: February 11, 2014

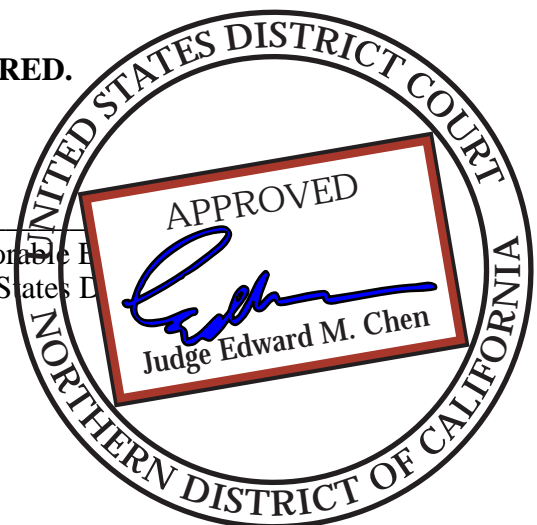
/s/ Jonah Van Zandt

Jonah Van Zandt
SEVERSON & WERSON
Attorneys for Wells Fargo Bank, N.A. and Wells
Fargo Insurance, Inc.

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12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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14 Dated: February ¹²____, 2014

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16 The Honorable E
United States D



DECLARATION OF PETER S. HECKER

I, Peter S. Hecker, declare:

1. I am an attorney duly admitted to practice before this Court. I am a partner with the law firm of Sheppard Mullin Richter & Hampton, LLP, counsel for defendant American Security Insurance Company in this case (“ASIC”). I have personal knowledge of the facts set forth below.

2. As set forth in the above stipulation, plaintiffs Stanley D. Cannon, Patricia R. Cannon and Cheryl Bullock (collectively “plaintiffs”) have stipulated that plaintiffs shall file and serve their response to defendants’ motion to stay (the “motion”) on or before February 11, 2014; defendants shall file and serve their reply papers on or before February 14, 2014; and consideration of the motion shall be at the earliest convenience of the Court.

3. Previous time modifications in this case include:

- On July 13, 2012, the Court granted Plaintiffs’ motion to extend time to respond to Wells Fargo motion to dismiss. (ECF No. 14.)
- On July 18, 2012, the Court continued a Case Management Conference. (ECF No. 15.)
- On August 9, 2012, the parties stipulated to extend former defendant Assurant, Inc.’s time to respond to the Complaint. (ECF No. 31.)
- On August 20, 2012, the Court continued a Case Management Conference. (ECF No. 40.)
- On August 20, 2012, the parties stipulated to extend former defendant Federal National Mortgage Association’s time to respond to the Amended Complaint. (ECF No. 43.)
- On August 21, 2012, the parties stipulated to extend Wells Fargo Bank, N.A.’s time to respond to the First Amended Complaint. (ECF No. 48.)
- On August 22, 2012, the Court continued a Case Management Conference. (ECF No. 50.)
- On September 10, 2012, the Court continued a Case Management Conference. (No docket number.)

- On October 30, 2012, the Court continued deadlines for motions to dismiss and continued a Case Management Conference. (ECF No. 73.)
- On December 3, 2012, the Court continued a Case Management Conference. (No docket number.)
- On January 10, 2013, the Court continued a Case Management Conference. (ECF No. 95.)
- On January 23, 2013, the Court continued a Case Management Conference, pursuant to stipulation. (ECF No. 98.)
- On July 2, 2013, the Court continued a Case Management Conference. (ECF No. 115.)
- On July 17, 2013, the Court continued a Case Management Conference, pursuant to stipulation. (ECF No. 123.)
- On September 9, 2013, the Court continued a Case Management Conference. (ECF No. 132.)
- On September 27, 2013, the Court continued a Case Management Conference. (No docket number.)
- On October 30, 2013, the Court continued the deadlines for Wells Fargo and ASIC to respond to the Third Amended Complaint, pursuant to stipulation. (ECF No. 145.)
- On November 12, 2013, the Court continued a Case Management Conference. (ECF No. 152.)
- On November 22, 2013, the Court continued motion hearings and a Case Management Conference, pursuant to stipulation.

4. Due to the minimal nature of the stipulated shortening of time, I believe that the requested extensions for consideration of the stay motion will not have any significant impact on the schedule for the case.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

3 Executed this 11th day of February 2014 at San Francisco, California.

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5 /s/ Peter S. Hecker

PETER S. HECKER